



"Baratta, Bob"
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02/09/2007 03:27 PM



To Mary Fulghum/R5/USEPA/US@EPA, Cathleen
Martwick/R5/USEPA/US@EPA, VERNETA
SIMON/R5/USEPA/US@EPA, EUGENE
cc "MacDonell, Don" <MacDonell@stsconsultants.com>,
"Kornder, Steve" <Kornder@stsconsultants.com>, "Vickery,
Randy" <rvickery@freebornpeters.com>
bcc

Subject 400 North Lake Shore

All,

STS informed me earlier this week that EPA has taken the position that all material exceeding the 19,000 cpm threshold must be removed from the site. We understand EPA's position will not be altered by the performance of the sampling protocol that STS provided to EPA on February 1, 2007. EPA's position in this regard does not comport with our understanding after the meeting on January 23, 2007, in which we understood that EPA had agreed to the sampling protocol described. Nevertheless, in accordance with EPA's most recent discussion with STS, we plan to excavate and containerize the ash material on Tuesday and Wednesday of next week (2/13-2/14). Additionally, STS will perform the sampling protocol during the excavation work. We do not agree with EPA's position with respect to treatment of this material and reserve our rights to address this matter with EPA at another time. Of course, EPA is free to visit the site during the work next week. Please call me with any questions.

Robert M. Baratta, Jr.

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"Baratta, Bob"
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02/21/2007 05:10 PM

To Cathleen Martwick/R5/USEPA/US@EPA, Mary
Fulghum/R5/USEPA/US@EPA
cc VERNETA SIMON/R5/USEPA/US@EPA, EUGENE
JABLONOWSKI/R5/USEPA/US@EPA, "MacDonell, Don"
<MacDonell@stsconsultants.com>, "Kornder, Steve"
bcc

Subject 400 N. Lakeshore Dr.

Cathy and Mary,

Confirming our telephone conversation this evening, STS Consultants will be on-site Friday to excavate and containerize the elevated material. STS also will conduct standard confirmatory sampling after excavation, as well as perform the sampling protocol described in our recent correspondence during the excavation. I understand that STS has spoken with Jean and that Jean and/or Verneta are available and will be present at the site on Friday. We welcome their involvement and they have authorization to collect samples if they so choose. Of course, please do not hesitate to call me with any questions.

Robert M. Baratta, Jr.

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